



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 1

THE MARINE MANAGEMENT ORGANISATION

CHAPTER 2

TRANSFER OF FUNCTIONS TO THE MMO

Sea Fish (Conservation) Act 1967

6 Trans-shipment licences for vessels

- (1) The Secretary of State's function of granting licences under section 4A of the Sea Fish (Conservation) Act 1967 (c. 84) (licences for the receiving by a vessel of fish transhipped from another vessel) is transferred to the MMO.
- (2) In subsection (1) of that section (power by order to prohibit trans-shipping of fish unless authorised by a licence granted by one of the Ministers) the reference to one of the Ministers is to be read as including a reference to the MMO instead of a reference to the Secretary of State.
- (3) In the following provisions of that section—
 - (a) subsection (6) (conditions of licence),
 - (b) subsection (7) (powers to require information),
 - (c) subsection (10) (power to vary, revoke or suspend a licence),
 - (d) subsection (11) (power to make a refund on variation, revocation or suspension),

any reference to the Minister granting a licence, or to the Minister who granted a licence, is to be read, in the case of licences granted or treated as granted by the Secretary of State or the MMO, as a reference to the MMO.

Changes to legislation: *Marine and Coastal Access Act 2009, Section 6 is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

- (4) In the application of subsection (9) of that section (power to issue limited number of licences) in relation to the licensing powers of the MMO under that section, the reference to the Ministers is to be read as a reference to the MMO.
- (5) In any orders made under that section, any reference which includes a reference to the Secretary of State is to be read, as respects any area where the MMO exercises functions under or by virtue of that section, as including instead a reference to the MMO.
- (6) The grant, variation, revocation or suspension of a licence under that section by or on behalf of the Secretary of State before the coming into force of this section has effect as from the coming into force of this section as the grant, variation, revocation or suspension of the licence by the MMO.
- (7) Where a decision to grant, vary, revoke or suspend a licence under that section—
- (a) has been taken by or on behalf of the Secretary of State before the coming into force of this section, but
 - (b) has not been notified in accordance with regulations under section 4B of the Sea Fish (Conservation) Act 1967,
- the decision has effect as from the coming into force of this section as a decision taken by the MMO.
- (8) Where, before the coming into force of this section, an application for a licence under section 4A of that Act, or for the variation of such a licence,—
- (a) has been made to the Secretary of State or a person acting on behalf of the Secretary of State, but
 - (b) has not been determined or withdrawn,
- the application is to be treated as from the coming into force of this section as an application made to the MMO.
- (9) The heading to the section is to be “Licensing of vessels receiving trans-shipped fish”.

Commencement Information

II S. 6 in force at 1.4.2010 by [S.I. 2010/907](#), [art. 2\(2\)\(c\)](#)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 72A(2A) inserted by [2023 c. 55 s. 232\(2\)\(d\)](#)
- s. 72A(6)(a) words in s. 72A(6) renumbered as s. 72A(6)(a) by [2023 c. 55 s. 232\(2\)\(f\)\(i\)](#)
- s. 72A(6)(a) words inserted by [2023 c. 55 s. 232\(2\)\(f\)\(ii\)](#)
- s. 72A(6)(b) and word inserted by [2023 c. 55 s. 232\(2\)\(f\)\(iii\)](#)
- Sch. 6 para. 1(2)(da) inserted by [2023 c. 55 Sch. 8 para. 31\(2\)\(a\)](#)